



Community Preservation Act Committee

Date: Wednesday, May 20, 2020

Time: 7:00pm-8:30pm

Location: Conducted by Remote Participation

Agenda

1. Review and approval of minutes
2. Review of revised FY21 revenue projections
3. Discussion of opportunity to support rental assistance with FY21 CPA funds
4. Other business
5. Adjournment

Register in advance for this meeting:

https://zoom.us/meeting/register/tJMpc-Gvpz4iGNMuwXr8nsfEEf70PrtfND_

After registering, you will receive a confirmation email containing information about joining the meeting.



Community Preservation Act Committee

Date: February 18, 2020

Time: 7:00pm-8:30pm

Location: Town Manager's Office Conference Room, 730 Mass Ave., Second Floor,
Town Hall, Arlington, MA 02476

DRAFT Minutes

In Attendance: Eric Helmuth,
 Eugene Benson,
 Pam Heidell,
 Leslie Mayer,
 Charlie McCabe,
 Richard Murray,
 JoAnn Robinson,
 Clarissa Rowe, and
 Ann Woodward.

Not in Attendance: Julie Wayman

Also in Attendance: Jim Feeney (arrived late)

Chair Eric Helmuth opened the meeting at 7:00 pm.

1. The Committee reviewed the meeting minutes from January 30, 2020. Clarissa Rowe motioned to approve the minutes, Richard Murray seconded. All voted in favor, Leslie abstained.
2. The Committee considered current project applications following two nights of presentations. The goal is to make preliminary recommendations in advance of meeting with consulting bodies. The Committee will appear at the Select Board Monday night and present to the Finance Committee on Wednesday. Mr. Helmuth reviewed the CPA finances again.

The Arlington Historical Society has not made any changes to their application or budget for the Jason Russell House. Richard Murray moved approval, Leslie Mayer seconded. All voted in favor.

The Mystic River Watershed Association increased the project budget for the Wellington Park project by \$75K in order to get the bridge finished. Additional documentation was provided. Eugene Benson asked about ensuring the resiliency of the bridge during flooding events. The Committee discussed the ongoing analysis of the site, and noted the 500 year flood plain was shown on details. Mr. Benson proposed a condition on the vote. Clarissa Rowe talked about the changing state of climate science that makes it very challenging to make an accurate and specific recommendation as a contingency. Ann Woodward agreed. Pam Heidell moved approval, with Ann Woodward seconding. All voted in favor.

The Reservoir Phase II improvements budget was increased to \$587K as noted during Stacey Mulroy's presentation. The contingency was adjusted to 30% given the corresponding underestimate on Phase I. The Committee discussed the possibility of contributing additional funds to the project at this time given the high bids received for Phase I. The Committee also discussed the status of the funds contributed to date via capital and CPA, as well as the status of any grant funding. No grant funding has been secured to date, but grant sunset dates need to be considered. Following a question from Richard Murray, Eric Helmuth noted there is still some time to finalize the final grant amount, which can happen until Town Meeting votes.

Jim Feeney noted the design for Phase II is not completed and there is no recent or revised cost estimate, leaving some uncertainty. Leslie Mayer noted the transition at the department head level contributes to uncertainty between this request and the capital request. Eric Helmuth proposed to wait for the numbers going forward. Clarissa Rowe stated it was premature to consider additional funds. Eugene Benson and Leslie Mayer agree there needs to be clarification on the accounting before proceeding. Leslie Mayer and Jim Feeney will work on gathering additional information. JoAnn Robinson proposes supporting the project, without a vote on funds, pending clarification on request amount. JoAnn Robinson moved support of the project with Clarissa Rowe seconding. All voted in favor.

The applicants for the Old Burying Ground project increased the request to \$193,773 by raising the contingency. Clarissa Rowe moved approval, Richard Murray seconded. All voted in favor.

The applicants for the Open Space and Recreation Plan update are requesting an additional \$15,000 to increase the level of consultant support and more closely reflect current consultant expenses. Applicants agreed to return any excess funds. Clarissa moved approval, Leslie Mayer seconded. All voted in favor.

The applicants for the Archaeological Reconnaissance Survey maintained the same budget request. The Committee discussed possible conditions for this project. Clarissa Rowe moved approval, JoAnn Robinson seconded. All voted in favor.

The applicants for the Documentation of Historic Municipal Resources project have increased the budget from \$5,280 to \$35,200. The study has a per property cost, so the increase is substantial but JoAnn Robinson believes it is worth it given the increased number of properties. The Committee would like to consider conditions for the project. Ann Woodward moved approval, Eugene Benson seconded. All voted in favor.

The applicants for the Winfield Robbins Memorial Garden Project increased the contingency 5%, or \$3,625. The Committee believes this is a reasonable request. Eugene Benson moved approval, JoAnn Robinson seconded. All voted in favor.

The committee discussed the Minuteman Bikeway Planning Project. The Committee is not in agreement about whether to move this project forward. JoAnn Robinson would like a detailed budget. Ann Woodward noted this is more than what has been spent on other planning projects and suggested amending the concurrent sustainable transportation planning process. The Committee noted that the applicant looked at comparable communities but would like them to follow-up and get specific details on their plans. Leslie Mayer would like to see a detailed scope for the project. Clarissa Rowe will follow-up with Jenny Raitt, Director of Planning and Community Development. She would like to know the hours planned for the project and the rates. The Committee will wait to vote on this application until the next meeting.

The Committee discussed housing applications for the next CPA funding round. Most were in favor of setting aside additional funding for housing, and hope to receive applications next year. However, Housing Corporation of Arlington may be at capacity with their projects, and it is challenging for the Housing Authority to create housing. The Committee discussed how doing a dedicated reserve might restrict their future flexibility and management of reserve funds. Eugene Benson hopes setting aside additional funds would entice others to come to Arlington to do business. Ann Woodward and Clarissa Rowe proposed meeting with developers proactively to determine their needs, such as Community Builders. Ann Woodward also believes a homeowner's rehab program would be successful. The Committee will consider reserving additional funds at the next meeting.

3. Eugene Benson moved to adjourn, Leslie Mayer seconded. Meeting adjourned 8:30 pm.



Community Preservation Act Committee

Date: March 11, 2020

Time: 7:04pm-7:51pm

Location: Town Manager's Office Conference Room, 730 Mass Ave., Second Floor, Town Hall, Arlington, MA 02476

DRAFT Minutes

In Attendance: Eric Helmuth,
Eugene Benson,
Pam Heidell,
Leslie Mayer,
JoAnn Robinson,
Ann Woodward.

Not in Attendance: Charlie McCabe,
Richard Murray.

Also in Attendance: Jim Feeney,
Julie Wayman.

Remote Participation by telephone: Clarissa Rowe.

Chair Helmuth welcomed members and guests at 7:04 pm.

Clarissa Rowe joined remotely so all votes were taken by roll call.

1. The minutes of February 18 will be reviewed at the next meeting.
2. Eric Helmuth reviewed the CPAC presentations to the Select Board and Finance Committee, indication both presentations went well. The groups asked thoughtful questions, and hoped to see future affordable housing opportunities. They were supportive of the Committee's work and the FY21 projects. The Finance Committee suggested consulting with Native American representatives on archaeological reconnaissance project.
3. Fiscal Year 2021 Project Application Review

The Committee discussed the following projects:

Arlington Reservoir Phase II Improvements final budget request is for \$587,000 as documented in the presentation. Leslie Mayer confirmed the Park and Recreation Commission (PRC) is in agreement with this amount. Jim Feeney noted it is premature to consider additional funding until a revised cost estimate is available.

Minuteman Bikeway Planning Project: The Department of Planning and Community Development (DPCD) provided a memo outlining project details. The budget for this project remains \$65,000. The Committee appreciates seeing a commitment to actionable items, but would like to see them listed. Clarissa Rowe noted the outcome should clearly lay out a way forward, and identify at least three priority infrastructure projects, which could include lighting, intersections, drainage, and signage. Jim Feeney noted the applicant considered reducing the budget request, but if the goal is to create preliminary concepts and budgets, it was best to stay with the original ask. While there could be some overlap with the Sustainable Transportation Program, including the connections, Eugene Benson and others would like to ensure the project addresses the bikeway as a recreational asset. The Committee would like this work to complement the work of the Open Space and Recreation Plan update as it relates to the bike path.

Mr. Ward, a member of the public, joined the meeting to provide feedback on the Arlington Housing Authority. He is unhappy about the shopping carts that people bring to the lobbies of the housing authority buildings, including his building, Winslow Towers. Mr. Ward would like the Committee to condition any future funding for the Housing Authority on resolving this issue.

Eugene Benson moved to approve the funding for all FY21 CPA applications as listed on the funding summary sheet, Clarissa Rowe seconded. The affirmative vote was unanimous with all members present casting a vote and no absentions.

FY21 Community Preservation Act, Final Applications		
Project Title	Applicant(s)	Budget
Historic Preservation of the Jason Russell House	Arlington Historical Society	\$ 78,023.00
Mill Brook and Wellington Park Revitalization Phase III	Mystic River Watershed Association	\$ 325,000.00
Reservoir Improvements Phase 2	Arlington Recreation Department	\$ 587,000.00
Old Burying Ground Restoration Phase 2	Town of Arlington, Cemetery Commission and Historical	\$ 193,773.00
Open Space Committee Plan	Open Space Committee	\$ 35,000.00
Communitywide Archaeological Recon Survey	Department of Planning and Community Development	\$ 60,000.00
Documentation of Historic Municipal Resources	Department of Planning and Community Development	\$ 35,200.00
Winfield Robbins Memorial Garden Project	Friends of the Robbins Town Gardens	\$ 65,625.00

Minuteman Bikeway Planning Project	Department of Planning and Community Development	\$ 65,000.00
Subtotal		\$ 1,444,621.00
10% Community Housing Reserve		\$ 202,069.73
CPAC Administrative Expenses Account		\$ 55,569.18
Grand Total		\$ 1,702,259.90

FY21 Local CPA tax surcharge receipts (projected)	\$ 1,800,000.00
FY21 State Match, 14.1% of 2020 CPA (projected)	\$ 220,697.29
Additional Available Funds*	\$ 405,733.00
Total FY21 CPA Available for Appropriation	\$ 2,426,430.29

4. Affordable Housing Reserve

The Committee discussed the advantages and disadvantages of putting aside more than the required 10% of the annual CPA collection. Setting aside more than 10% will sacrifice some flexibility should a project need arise, but setting aside least \$500,000 will send a clear message to Town Meeting and others the Committee's support for low- and middle- income housing. The Committee has dedicated at least \$500,000 to affordable housing each year the program has operated. Jim Feeney noted this would be helpful in the event there is more than one application in this category next year.

The Committee does not believe \$500,000 is necessarily enough to entice a new developer to start a project. Ann Woodward noted there needs to be a project opportunity with greater scale to entice a new developer. However, this investment could give some capacity to do more next year. Clarissa Rowe wondered if there might be a way to fund the work or programs of a non-profit, affordable housing developer to increase their existing capacity.

Eric Helmuth reminded the Committee of the structure of vote language in prior years, first making minimum reserve commitments to satisfy statutory obligations and then transferring to specific projects. Eugene Benson moved to put \$500,000 in the Affordable Housing Reserve Fund, \$202,069.73 in Historic Preservation Reserve, and \$202,069.73 in the Open Space and Recreation Reserve, and \$55,569.18 in Administrative Expenses. Clarissa Rowe seconded. Yays included Eugene Benson, Ann Woodward, Leslie Mayer, Eric Helmuth, JoAnn Robinson, Pam Heidell, and Clarissa Rowe. The vote was unanimous.

5. CPA Plan

The public hearing on the next iteration of the CPA Plan is postponed due to precautions around Corona Virus. The Committee will communicate about rescheduling. The Committee may try for April if possible, or may have to table the public review and presentation until the following year.

Leslie Mayer moved to adjourn, with Ann Woodward seconding. Yays included Eugene Benson, Ann Woodward, Leslie Mayer, Eric Helmuth, JoAnn Robinson, Pam Heidell, and Clarissa Rowe. The vote was unanimous. Meeting adjourned at 7:51pm.

FY21 Community Preservation Act, Final Applications				
Project Title	Applicant(s)	Budget	CPA Category	Purpose
Historic Preservation of the Jason Russell House	Arlington Historical Society	\$ 78,023.00	Historic Preservation	Preservation
Mill Brook and Wellington Park Revitalization Phase III	Mystic River Watershed Association	\$ 325,000.00	Recreation	Rehabilitation and Restoration
Reservoir Improvements Phase 2	Arlington Recreation Department	\$ 587,000.00	Recreation	Rehabilitation and Restoration
Brackett Elementary School Outdoor Spaces	Brackett Elementary School Parent Teacher Organization	\$ 270,000.00	Recreation	Rehabilitation and Restoration
Old Burying Ground Restoration Phase 2	Town of Arlington, Cemetery Commission and Historical	\$ 193,773.00	Historic Preservation + Open Space	Preservation
Veterans' Memorial Cookes Hollow	Health and Human Services	\$ 225,000.00	Open Space	Preservation
Open Space Committee Plan	Open Space Committee	\$ 35,000.00	Open Space	Preservation
Communitywide Archaeological Recon Survey	Department of Planning and Community Development	\$ 60,000.00	Historic Preservation	Preservation
Documentation of Historic Municipal Resources	Department of Planning and Community Development	\$ 35,200.00	Historic Preservation	Preservation
Winfield Robbins Memorial Garden Project	Friends of the Robbins Town Gardens	\$ 65,625.00	Historic Preservation	Rehabilitation and Restoration
Minuteman Bikeway Planning Project	Department of Planning and Community Development	\$ 65,000.00	Recreation	Rehabilitation and Restoration
		Subtotal	\$ 1,444,621.00	
		Community Housing Reserve	\$ 500,000.00	
		CPAC Administrative Expenses Account	\$ 54,320.91	
		Grand Total	\$ 1,998,941.91	
FY21 Local CPA tax surcharge receipts (projected)	\$ 1,800,000.00			
FY21 State Match, 11.2% of 2020 CPA (projected)	\$ 175,305.65			
Additional Available Funds*	\$ 405,733.00			
Total FY21 CPA Available for Appropriation	\$ 2,381,038.65			
			Remainder available for rent relief	
			\$ 382,096.74	

*\$217,868: FY20 state match revenue exceeding FY19 estimate. \$142,397: FY19 surcharge collections exceeding estimate. \$45,468: unspent FY19 administrative funds.

Using the Community Preservation Act (CPA) For Rental Assistance Programs

Suggestions from the Massachusetts Housing Partnership

1. Remember, rental assistance programs using CPA funds have a household income limit of 100% area median income (AMI).
2. Guidelines for the program should be clear and well-advertised. Reasonable accommodations should be made to assist those with physical, mental, or language challenges.
3. If this is a temporary program only, make that clear. Additionally, some communities may want eligibility to only extend to existing residents. Federal case law prohibits durational residency requirements when seeking public assistance. Exclusion of people who don't already live in the community could be problematic, particularly if the program becomes long-term. Perhaps revisit the guidelines for the program every 90 days.
4. Be cautious about restricting eligibility to people working in certain industries (e.g., hospitality) when many people in a variety of industries are feeling the impacts of COVID-19.
5. Applications should be readily available and require standard documentation to determine income eligibility.
6. Rent payments should be made directly to landlords.
7. To comply with the Anti-aid Amendment, add an addendum to an existing rental lease or create a grant agreement with the rental assistance beneficiary and landlord.
8. It is advisable to partner with an organization or consultant with experience running affordable housing programs to establish and implement a rental assistance program.



If you have any further questions about pursuing rental assistance projects with CPA funding, we recommend contacting:

**Shelly Goehring at the Massachusetts Housing Partnership (MHP)
857-317-8525 / sgoehring@mhp.net**



Emergency Rental Assistance Webinar Q&A

(On April 22, 2020, MHP organized a webinar that attracted 500 participants and many questions. In response, we put together this Q&A to help communities create successful emergency rental assistance programs).

Help for Establishing an Emergency Rental Assistance Program

Guidance <https://www.mhp.net/writable/resources/documents/Emergency-Rental-Assistance-Programs-guidance1.pdf>

Checklist <https://www.mhp.net/writable/resources/documents/Emergency-Rental-Assistance-Programs-checklist.pdf>

Resources for Emergency Rental Assistance

Residential Assistance for Families in Transition (RAFT)

<https://www.mass.gov/service-details/learn-about-residential-assistance-for-families-in-transition-raft>

DHCD has waived the rule from the program guidance that households may not apply for subsidized rent arrears twice in a 24-month period, but households are still limited to a maximum \$4,000 benefit over 12 months. A notice to quit is not necessary with upstream RAFT or COVID RAFT.

1. Can RAFT cover condo fees?

Yes, RAFT can pay for condo fees, as well as rental assistance, utilities and mortgage assistance.

2. Is mortgage assistance through RAFT only for deed restricted units?

No, RAFT can cover mortgage assistance for market rate and deed restricted homes, as long as the applicant is income qualified.

3. What are the biggest gaps that RAFT does not cover?

The largest gap may be that RAFT only supports households earning up to 50 percent of the area median income (AMI).

4. Is the RAFT application online?

Yes, RAFT intake is available online. Search regional program administrators here:

<https://www.masshousinginfo.org/>

5. If someone is receiving RAFT for utilities, for example, can they also qualify for local emergency rental assistance?

Eligibility for emergency rental assistance can be a local decision so it could be possible for an applicant receiving utility assistance to also access rental assistance from a local program.

Affordable Housing Trust Fund

1. Do affordable housing trusts offer an advantage over Community Preservation Committees?

The Municipal Affordable Housing Trust fund statute allows trustees to make funding decisions outside of the legislative body. So the housing trust can generally make decisions more nimbly than the local Community Preservation Committee (CPC). For those communities that have already transferred CPA funds to the housing trust, an emergency rental assistance program could be started by the trust with those funds, assuming the legislative body did not set restrictions that would limit that use.

Community Preservation Act (CPA)

<https://www.communitypreservation.org/>

CPA funds can support households earning below 100% of the area median income (AMI) and can be spent in any community in the state. Rental assistance is allowed in the CPA statute under the definition of “support” in Section 2 of the Act.

1. What is the best way to access CPA funds for emergency rental assistance?

Best practice is for the organization seeking to administer a rental assistance program to submit an application for funds to the local Community Preservation Committee (CPC). The CPC would review the application and make a funding recommendation to the legislative body. Before an allocation can be made, the legislative body would need to pass the recommendation with a majority vote.

An application for funding could also come from a municipal body, such as a housing department. Additionally, the CPC could make a recommendation to the legislative body to allocate funds for rental assistance before arrangements have been made with a potential program administrator. This could be helpful in a town where the legislative body meets just once or twice a year.

2. Can utility expenses, fuel assistance, property tax relief or other types of aid be paid with CPA resources?

No, CPA cannot pay for utility expenses or other types of aid. CPA is a housing program, household expenses and social services are not eligible uses.

3. Can CPA funds support shelters?

No, CPA is intended to support permanent housing units.

4. Are students and undocumented immigrants allowed to access CPA funds?

There is nothing in the CPA statute that would restrict students or undocumented immigrants from accessing CPA funds.

5. What about assistance for owners of single family home or condos? Can mortgage payments be paid with CPA funds?

If a home or condo is deed restricted to households earning up to 100% AMI, it can qualify as “community housing” under the CPA statute and mortgage assistance may be an allowable expense. Homes that are not deed restricted (market rate homes) are not eligible for CPA funds, and use of CPA funds is problematic even if a market rate home is occupied by income eligible owners. Unlike rental assistance, mortgage assistance is not specifically mentioned in the CPA legislation, so communities should consult municipal counsel before moving forward.

6. Can CPA funds be used to assist with condo fees?

No. Condo fees are considered accessory expenses, similar to utility expenses.

7. If we have CPA, but not an affordable housing trust, can we still use funds for emergency rental assistance and how do we do that?

It is not necessary to have a housing trust in your community to provide rental assistance resources. While appropriating funds first to a housing trust can provide communities with additional flexibility, the majority of CPA funds are appropriated directly to housing projects by the city or town’s legislative body (city council or town meeting), after a recommendation by the

local CPC. If you do have a housing trust, funds can be appropriated directly to rental assistance without first going to the CPC.

8. Can administrative fees of an emergency rental assistance program be paid with CPA funds?

Yes, in certain circumstances. If CPA funds are supporting emergency rental assistance administration by a non-municipal entity, CPA can also cover administrative fees to implement the program. However, if your municipal staff is working on a rental assistance program, CPA funds may not be used to pay for the time of existing employees of cities or towns.

9. Could a municipality provide funds for rental assistance before the municipality's CPC and legislative body have approved the program, and then have CPA reimburse the town after the proper approvals?

No, CPA cannot reimburse a municipal budget for any expenses incurred in the past. This is a violation of the "no supplanting" rule in the CPA legislation.

10. Can we protect against future evictions when using CPA for rental assistance?

Some housing programs include protection from eviction for tenants for a period of time after assistance has been provided. This gives the tenant some security and the community an added public benefit. If a community wants to include eviction protection in its program, it should be reasonable and outlined in the contract signed by the administrator, tenant and landlord.

Community Development Block Grant (CDBG)

1. Can CDBG funds be allocated to a non-profit for emergency rental assistance?

Yes, several communities are both using CDBG funds to support emergency rental assistance and collaborating with a non-profit to administer the funds.

Determining Program Parameters and Eligibility

1. Should programs target renters who are not eligible for unemployment and other benefits?

Program eligibility can be a local decision, but best practice is to consider gaps in our service delivery system and prioritize support to those who may be left out of other programs.

2. Can programs be limited to local residents only?

For an emergency rental assistance program during a pandemic, attempting to stabilize renters and keep people safe in their homes, it is reasonable to focus on existing residents.

3. Should a portion of our funds go to extremely low income households (e.g., up to 30% AMI)?

Given the local data on housing needs in your community, it may make sense to allocate some of your resources to extremely low income households.

4. Does the rental payment need to go directly to the landlord and who is issued a Form 1099?

Yes, rental assistance payments should be made directly to the landlord who provides a Form W-9 to the program administrator. At the end of the tax year, the landlord then receives a Form 1099 from the program administrator.

5. Is a lease required or would an agreement with the landlord be sufficient?

When the Department of Revenue references rental assistance, specifically when using CPA funds, they advise a lease between the land lord and tenant. Given that many of our low income

residents do not have leases, it may be possible to substitute an agreement from the landlord for a lease. Consult with your Town Counsel or City Solicitor to make sure your program is satisfying the Anti-aid Amendment.

6. Should income eligibility be determined based on a household's current income or last year's annual income?

If your emergency rental assistance program is directly responding to the impact of COVID-19, income eligibility based on current income is advisable, with applicants showing a loss in income due to the pandemic.

7. Should an emergency rental assistance program include an asset test given that those with few assets are likely the most in need?

Asset tests can be time intensive and challenging in emergency situations. Requiring recent bank statements would likely disqualify most high wealth applicants.

8. How should our emergency rental assistance program be publicized?

Programs can be promoted on the community's webpage outlining resources and information pertaining to COVID-19. Local service providers can also help promote the resource, along with landlords. Your Chamber of Commerce or business groups can promote the program so that employers can help their staff access rental assistance. One community promoted their program through a school district email.

9. What is a standard administrative fee to run a program?

You should anticipate that an administration fee may be 10-20%, depending on the program structure and administrator's cost structure.

10. Can an affordable housing landlord be awarded funds to run an emergency rental assistance program since they know the need?

This model may be problematic because communities have residents in need living outside of affordable housing units. Local public resources should be broadly available. The program administrator must promote the program beyond their personal contacts and interest, to meet the needs across the community.

11. How do towns run a lottery when demand is greater than supply?

Running a lottery can be complicated, but a fair way to award public assistance. We encourage communities to either engage with an agency that has experience running lotteries to administer your program, or a certified lottery agent to manage that portion of your program.

Anti-aid Amendment to the Massachusetts Constitution

1. Does allocating funds to a non-profit get around the municipality making direct payments to an individual?

Technically yes, but the Anti-aid Amendment applies when public funds are given to a non-publicly owned and controlled entity. These allocations must be serving a public good and in fact, be purchasing a service to benefit the municipality (DLS No. 2006-75). This applies to allocations made to non-profits, as well as individuals.

Assistance for Homeowners

<https://www.mass.gov/lists/moratorium-on-evictions-and-foreclosures-forms-and-other-resources#information-re-foreclosure-moratorium->

Homeowners should be contacting their bank or servicer, asking for a mortgage deferment or forbearance. The recently signed state Eviction and Foreclosure Moratorium Bill requires mortgage servicers to offer up to six months forbearance. Additionally, the federal CARES Act requires mandatory forbearance on federally backed mortgages. Most homeowners will be covered by these two laws.

Additionally, rental assistance helps small scale landlords so your program publicity should try to include outreach to them.

Other Resources and Miscellaneous Questions

1. Does the Eviction Moratorium bill require tenants to inform landlords about their inability to pay rent due to the impacts of COVID-19?

Yes, to avoid the risk of foreclosure after the protection is lifted, tenants are to notify their landlord in writing within 30 days of a missed payment. DHCD has released guidance for tenants pertaining to this new law. **NOTE: This law is not a rent forgiveness program.**

<https://www.mass.gov/doc/dhcd-guidance-and-form-instructions-for-tenants-eviction-moratorium/download>

2. Does an emergency rental assistance program need to be procured by a municipality?

While a community can call the Office of Inspector General (OIG) 30B hotline (617-722-8838) and research the OIG guidance on “grant agreements” in their bulletins, procurement decisions should be made in consultation with local procurement officers and municipal administration.

3. MAPC has done initial analysis of unemployment data in Massachusetts to help you consider the degree of need for rental assistance in your community.

<https://www.mapc.org/covid19-layoffs/>

4. Datatown tells you the industries that residents in your community work in.

www.mhp.net/datatown

For additional support, please contact:

Shelly Goehring
Senior Program Manager
MHP
sgoehring@mhp.net
857-317-8525

Stuart Saginor
Executive Director
Community Preservation Coalition
stuart.saginor@communitypreservation.org
617-371-0540

Special thanks to the Citizens' Housing and Planning Association for hosting the webinar and to Stuart Saginor for assisting with this Q&A and participating in the webinar.

To: Community Preservation Act Committee

From: Erin Zwirko, AICP, LEED AP, Assistant Director, Department of Planning and Community Development, Town of Arlington

RE: Rental Cost Data

Date: May 12, 2020

Following up on our video call yesterday, I collected the following data to support increasing the rental assistance benefit to more than \$2000/month.

Our department participates in a Consortium with Boston, Cambridge, Somerville, and Quincy to collect rental listing data from Craigslist and Padmapper to help understand rental costs across our communities. For quarter 3 of 2019 in Arlington (July to September, which is the most recent data that we have due to a processing delay):

- The average advertised 1 bedroom rent was \$1,754
- The average advertised 2 bedroom rent was \$2,322

Data for 3 bedroom units and larger are less reliable in this data set due to the limited number of listings.

HUD publishes fair market rents each year. These figures are used to determine payment standards for the Housing Choice Voucher program among other uses. Fair market rents are known to be lower than the actual rent in higher cost communities due to the fact that HUD aggregates data across a wide region. For 2019 and 2020, these figures are:

- Studio: \$1,608 (2019) and \$1,715 (2020)
- 1 bed: \$1,801 (2019) and \$1,900 (2020)
- 2 bed: \$2,194 (2019) and \$2,311 (2020)
- 3 bed: \$2,749 (2019) and \$2,880 (2020)

Lastly, while this isn't data regarding rents, it helps frame the big picture. From HUD's most recent Comprehensive Housing Affordability Strategy data (2012-2016):

- Arlington renters at risk of displacement before COVID-19:
 - 45% (3,335) of renter households earn 80 percent or less AMI (4 person household = \$89,200)
 - 65% (2,175) of Arlington renter households earning less than 80 percent AMI spend more than 30% of their monthly income on housing costs including rent (known as cost burdened)
 - As incomes decrease in light of COVID-19, more low to moderate income Arlington renters will become cost burdened

Let us know if you have any questions or concerns about the data. We would be happy to discuss further and/or participate in any future meetings with the Committee.